



United States Copyright Office

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July 11, 2017

Fross Zelnick Lehrman & Zissu, P.C.
Attn: John P. Margiota
866 United Nations Plaza at First Avenue & 48th Street
New York, NY 10017

**Re: Second Request for Reconsideration for Refusal to Register TBPF16 1(3d);
Correspondence ID: 1-1TDG0U5; SR #1-2748391622**

Dear Mr. Margiota:

The Review Board of the United States Copyright Office (“Board”) has considered River Light V, L.P.’s second request for reconsideration of the Registration Program’s refusal to register a jewelry design claim in the work titled TBPF16 1(3d) (“Gemini Link Bracelet” or “Work”). After reviewing the application, deposit copy, and relevant correspondence, along with the arguments in the second request for reconsideration, the Board finds that the Work exhibits copyrightable authorship and thus may be registered.

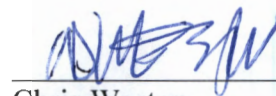
The Work is a gold link bracelet, comprised of a series of links. The links have a thick, scalloped center portion and thinner outer edges. The shape of the links, though, is difficult to categorize. Some might see a shape resembling handcuffs, or a decorative figure eight, or, as described in the first request for reconsideration, “back-to-back anthropomorphized crescent moons similar to those found in children’s books.” Consecutive links are connected by two hoops, and one link has a small engraving of the Tory Burch logo. A reproduction of the Work is set forth below.



The Board's finding is based on the "minimal degree of creativity" required by the U.S. Supreme Court in *Feist Publ'ns, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 345 (1991). Although the Work consists of some common geometric shapes and familiar designs, which are unprotectable, COMPENDIUM (THIRD) § 906.1-2, it also consists of uncommon shapes and designs. Moreover, the combination of the shapes and designs together meet the low creativity threshold articulated in *Feist*.

Pursuant to 37 C.F.R. § 202.5(g), this letter constitutes final agency action in this matter. The Office will register the Work and no response to this letter is necessary.

BY:



Chris Weston
Copyright Office Review Board